

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 1, 2006

D045495 People v. Vaught

The judgment is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., Aaron, J.

D046415 People v. Treen

The appeal is dismissed. McDonald, J.; We Concur: Benke, Acting P.J., Huffman, J.

D047022 In re Conservatorship of Christopher A.

The portion of the judgment specifying the placement, disabilities, and powers of the conservatee is reversed and the matter is remanded for further proceedings in accordance with the views expressed in this opinion. In all other respects the judgment is affirmed. McDonald, Acting P.J.;
We Concur: McIntyre J., O'Rourke, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 2, 2006

D047539 In re Paul C., a Juvenile

The judgment is reversed. The matter is remanded to the juvenile court with directions to dismiss the petition without prejudice. Irion, J.; We Concur: Haller, Acting P.J., Aaron, J.

D047877 People v. Hackler

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

D046486 The Cadle Company v. Corrigan et al.

The judgment is affirmed. Defendants are entitled to costs on appeal. McDonald, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

D047925 Those Certain Underwriters At Lloyd's London v. Superior Court of San Diego County/Kolod Wager Law Offices et al.

The petition is denied.

D047889 In re A. B. A., a Juvenile

The appeal is dismissed. Huffman, J.; We Concur: Benke, Acting, P.J., McDonald, J.

D048399 In re Justine B., a Juvenile

The notice of appeal and appellant's letter brief have been read and considered by Presiding Justice McConnell and Associate Justices Benke and McDonald. This court is without jurisdiction. (*In re K.S.* (2003) 112 Cal.App.4th 118). Appellant's request for an order remanding the matter is denied. The appeal is dismissed.

D048530 Ford v. Superior Court of San Diego County/Ravet

The petition is denied.

D047974 Wood et al. v. Marks

On April 7, 2006, this court ordered appellant to deposit costs for preparing the record on appeal by April 17, 2006, or the appeal would be dismissed (Cal. Rules of Court, rules 4(b), 5(c) and 8). Appellant did not timely deposit costs. The appeal filed on February 3, 2006, is dismissed.

D048271 Foua L. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Foua L. has notified the court that a petition for writ of mandate under California Rules of Court, Rules 38.1 and 1436.5 will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 2, 2006 (Continued)

**D048271 Moises P. v. Superior Court of San Diego County/San Diego County Health
and Human Services Agency**

The attorney for petitioner Moises P. has notified the court that a petition for writ of mandate under California Rules of Court, Rules 38.1 and 1436.5 will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 3, 2006

D048078 In re Walker on Habeas Corpus

The petition is denied as to all issues except the issue of the timeliness of the 2005 parole hearing. As to that issue, the petition is denied without prejudice.

D048177 Floyd v. Department of Corrections et al.

Pursuant to California Rules of Court, rule 8, the appeal filed March 1, 2006 is dismissed for appellant's failure to timely designate the record.

D046130 People v. Hamo

The judgment is modified to stay the sentence on counts 2, 6, and 7 under section 654. The superior court is directed to amend the abstract of judgment accordingly and to forward an amended abstract to the Department of Corrections. In all other respects the judgment is affirmed. McConnell, P.J.; We Concur: Haller, J., Irion, J.

D047067 In re the Marriage of Baiza

The order is affirmed. McConnell, P.J.; We Concur: McIntyre, J., Aaron, J.

D046987 People v. Dahlquist

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., Aaron, J.

D046817 Eltzroth v. Devers

The order is affirmed. Devers is awarded costs on appeal. McConnell, P.J.; We Concur: Benke, J., Nares, J.

D045233 In re Marriage of Miller

The judgment of the trial court is affirmed. The parties are to bear their own costs on appeal. Aaron, J.; We Concur: McIntyre, Acting P.J., Irion, J.

D048043 Smith v. Superior Court of San Diego County/Hance

The petition is denied because it does not include an adequate record. (Cal. Rules of Court, rule 56(c)(5)).

D048507 People v. Rojas

The appeal is dismissed.

D048100 In re Norman on Habeas Corpus

The petition is denied.

D047405 In re Jackson on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 4, 2006

D046335 In re Brooke N. et al., Juveniles

The judgment terminating Richard's parental rights as to Ricky is reversed and the matter is remanded to the juvenile court for an updated review hearing to determine Ricky's adoptability in light of the new developments. The order denying Richard's section 388 motion is affirmed. The judgments terminating Richard's parental rights as to Brooke and Abigail are affirmed. Haller, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D048434 Highlands Insurance Company v. Superior Court of San Diego County/Lavender et al.

The petition is denied.

D045833 People v. Lightfoot

The judgment is affirmed. Haller, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D045592 Vasquez v. State of California

The petition for rehearing is denied. Appellant's request for judicial notice is denied.

D048108 In re Herrera on Habeas Corpus

The petition is denied.

D047090 In re Tyson W. et al., Juveniles

The petition for rehearing is denied.

D045936 People v. Orange

Appellant's petition for rehearing is denied.

D047661 Chambers v. The Appellate Division of the Superior Court of San Diego County/The San Diego Police Department

Let a writ of mandate issue directing the trial court to vacate the August 23, 2005 and September 30, 2005 orders and to enter a new and different order (1) disclosing to Chambers the name, address and telephone number of the complainant disclosed in the *Washington* case and referenced by Chambers's counsel in her sealed declaration and (2) permitting the public defender to use the derivative report resulting from the investigation of the complainant in the *Washington* matter. The stay issued on December 30, 2005, will be vacated when the opinion is final as to this court. Our order directing the custodian of the Department to preserve all records submitted for the in-camera review will expire upon issuance of the remittitur. O'Rourke, J.; We Concur: McDonald, Acting P.J., Irion, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 4, 2006 (Continued)

D046251 People v. Freeman

The order of February 9, 2006, submitting the above case is vacated pending the California Supreme Court's decision in *People v. McGee* (2004) 115 Cal.App.4th 819, review granted April 28, 2004, S123474. The matter will be resubmitted upon the filing of the opinion in that case.

D048341 Evans v. County of San Diego et al.

The appeals filed March 27, 2006, are dismissed because appellant did not timely deposit costs for preparing the record on appeal.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 5, 2006

D046797 People v. Lohman

The judgment is affirmed. McDonald, J.; We Concur: McConnell, P.J., Huffman, J.

D047181 In re Charles M. et al., Juveniles

The judgments are affirmed. McDonald, J.; We Concur: Benke, Acting P.J., Irion, J.

**D047891 Cheryl P. et al. v. The Superior Court of San Diego County/San Diego
County Health and Human Services Agency**

Let a writ issue directing respondent juvenile court to (1) vacate its order denying reunification services to Cheryl and Daniel, Sr., for Nicholas and setting the matter for a section 366.26 permanency planning hearing in his dependency case and (2) issue a new order directing Agency to provide six months of services to Cheryl and Daniel, Sr., in Nicholas's case. Insofar as Cheryl's petition concerns Daniel, it is denied. This opinion is final immediately as to this court. (Rule 24(b)(3)). CERTIFIED FOR PUBLICATION. McConnell, P.J.; We Concur: Aaron, J., Irion, J.

D045845 People v. Tittle et al.

The judgment as to Downey is affirmed in full. The judgment as to Tittle is reversed as to counts 2 and 3 (attempted voluntary manslaughter) and affirmed as to count 1 (voluntary manslaughter). Huffman, J.; We Concur: Benke, Acting P.J., McDonald, J.

D048508 Fairbairn v. Superior Court of San Diego County/Podlipskiy et al.

The petition is denied.

